

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

CORNELIUS DOUGLAS, III,

Plaintiff,

VS.

EDWARD PAVICIC,

Defendant.

CASE NO. 1:20 CV 2091

DISMISSAL ORDER

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On December 21, 2020, the Court issued an order notifying the plaintiff that his complaint on its face fails to allege a plausible claim over which this Court may assert federal subject-matter jurisdiction and affording him 30 days to file an Amended Complaint demonstrating a basis for an exercise of federal subject-matter jurisdiction. (Doc. No. 5.)

To date, the plaintiff has not filed such an Amended Complaint. He filed several documents in the case without explanation on December 23, 2020 (Doc. No. 6), but these documents do not demonstrate a basis for federal subject-matter jurisdiction.

Federal courts are courts of limited jurisdiction and must dismiss any case in which they determine federal subject-matter jurisdiction is lacking. *See Nagalingam v. Wilson, Sowards, Bowling & Costanzo*, 8 F. App'x 486, 487, 2001 WL 493392 (6th Cir. May 1, 2001). The party who seeks to invoke a federal court's jurisdiction bears the burden of establishing the court's authority to hear the case. *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994). "If the court determines at any time that it lacks subject-matter jurisdiction, [it] must dismiss the action." Fed. R. Civ. P. 12(h)(3).

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The plaintiff has not demonstrated, and the Court does not find, a basis for an exercise of federal subject-matter jurisdiction in this case. Accordingly, this action is dismissed. Fed. R. Civ. P. 12(h)(3). The Court certifies that an appeal from this decision could not be taken in good faith. 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED.

Dated: January 26, 2021

s/ James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE